

- IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

5. This case is removable on the basis of this Court's diversity jurisdiction under 28 U.S.C. § 1332(a), because the citizenship of the parties is completely diverse and the amount in controversy exceeds \$75,000.

6. Miller resides and is domiciled in Pennsylvania. Therefore, Miller is a Pennsylvania citizen.

7. Fortuna's general partner is Universal Fortuna Investment, Inc., which is incorporated in California and has its principal place of business in California, and is therefore a California citizen. None of Fortuna's limited partners is a Pennsylvania citizen. Therefore, Fortuna is completely diverse from Miller.

8. Park is a Delaware corporation and has its principal place of business in Virginia. Therefore, Park is completely diverse from Miller.

9. Although "Hilton Los Angeles Airport" is named as a defendant, that is a fictitious entity whose citizenship "shall be disregarded" under 28 U.S.C. § 1441(b)(1).

10. The matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs. In Count I of her complaint, Miller seeks to recover "an amount in excess of" \$50,000 from Park. Additionally, in Count II of her complaint, Miller seeks to recover "an amount in excess of" \$50,000 from Fortuna.

11. A copy of Docket Sheet from the State Court Case is attached here as **Exhibit 1**.

12. A copy of the Civil Cover Sheet from the State Court Case is attached here as **Exhibit 2**.

13. A copy of the Praecipe to Issue Writ of Summons from the State Court Case is attached here as **Exhibit 3**.

14. A copy of the Affidavit of Service on “Hilton Los Angeles Airport” from the State Court Case is attached here as **Exhibit 4**.

15. A copy of the Affidavit of Service on Park from the State Court Case is attached here as **Exhibit 5**.

16. A copy of the Complaint from the State Court Case is attached here as **Exhibit 6**.

17. A copy of the Entry of Appearance by Fortuna from the State Court Case is attached here as **Exhibit 7**.

18. A copy of Fortuna’s Preliminary Objection from the State Court Case is attached here as **Exhibit 8**.

19. Pursuant to 28 U.S.C. § 1446(d), Park will promptly give written notice of this removal to Miller and file a copy of the notice with the Prothonotary of the Philadelphia County Court of Common Pleas. A copy of the written notification is attached here as **Exhibit 9**.

Dated: June 10, 2021

Respectfully submitted,
PARK HOTELS & RESORTS INC.
By Counsel

s/ Jared M. DeBona
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CERTIFICATE OF SERVICE

I certify that, on June 10, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notice to all counsel of record.

s/ Jared M. DeBona